

EXHIBIT 1

**Plaintiffs' More Definite Statement as to Defendant
Tadamon Islamic Bank**

1. Plaintiffs hereby incorporate all allegations and counts contained in the Third Amended Complaint in Burnett, et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC), 03 CV 5738 & 03 CV 9849; World Trade Center Properties LLC, et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC); 04 CV 7280 (RCC); and Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC); 04 CV 7279 (RCC), including all of the allegations and claims contained therein.

History and Organizational Structure of Tadamon Islamic Bank

2. Founded in Sudan on November 28, 1981, Bank Al-Tadamon Al-Islami (literally translated "Islamic Solidarity Bank," herein "Tadamon Islamic Bank") lists its address as Al-Tadamon Tower, Al-Baladia Avenue, Khartoum. In 2000, Tadamon Islamic Bank operated through its head office in Khartoum and nineteen branches scattered throughout Sudan. The bank's corporate structure included four sub-branches and three subsidiary companies: Tadamon Islamic Co. for Trade and Investment, Ltd., Tadamon Islamic Company for Agricultural Development, Ltd., and El Tadamon Real Estate Company, Ltd. In addition, Tadamon Islamic Bank held material investments in fifteen entities engaged in service and industrial sectors in Sudan. The bank is listed on the Khartoum Stock Exchange as a public company.

3. Tadamon Islamic Bank reported total assets of 83.5 billion Sudanese Dinars (US \$326 million) in 1999. The bank's primary holdings were in import/export, industrial and agricultural sectors.

4. Tadamon Islamic Bank has become a magnet for Sudanese nationals with business in overseas markets. The bank receives daily transfers from Saudi Arabia, Oman,

United Arab Emirates and Yemen and maintains correspondent relationships with banks in Asia, Europe and the Middle East.

5. Since commencing operations on March 24, 1983, Tadamon Islamic Bank has adhered to a set of Islamic banking principles defined by Shari'a. Six Islamic banks opened in Sudan between 1978 and 1984, of which Tadamon Islamic Bank was the second. Only a month after the bank began operating, co-Defendant Al-Shamal Islamic Bank obtained banking authorization from the Sudanese government.

6. Current and former shareholders of Tadamon Islamic Bank include Osama Bin Laden, Al-Baraka Investment and Development Company and co-Defendants Faisal Islamic Bank (Sudan), Dubai Islamic Bank, and Mohammed Hussein Al Amoudi.

7. Along with co-Defendants Daar Al-Maal Al-Islami Trust and Faisal Islamic Bank (Sudan), Tadamon Islamic Bank is a major shareholder in co-Defendant Al-Shamal Islamic Bank. Tadamon Islamic Bank joined the provisional Board of Directors of Al-Shamal in July 1988 and has been a shareholder since March 26, 1986.

U.S. Contacts and Jurisdiction

8. Tadamon Islamic Bank has sufficient minimum contacts with the United States to subject them to the personal jurisdiction of United States courts. Moreover, Tadamon has purposefully availed itself of the jurisdiction of the United States by directing its activities at the United States. Tadamon has financially and materially supported Osama Bin Laden and the al Qaeda organization in its call for holy war or jihad against the United States.

9. Tadamon is a major shareholder in Al Shamal Islamic Bank. Al Shamal maintains correspondent banking accounts in the United States with CitiBank, Arab American Bank and American Express Bank. In addition, Dar al Maal al Islami Trust, an indirect parent company of

Tadamon, oversees significant holdings and maintains considerable business contacts with the United States.

On Tadamon Islamic Bank

10. Tadamon Islamic Bank knowingly and intentionally provided material support in the form of financial services to Al Qaeda (including maintaining and servicing Al Qaeda bank accounts and accounts used to fund and support Al Qaeda).

11. According to Khalid Khalil Assad's biography of Osama Bin Laden, *A Fighter from Mecca* (2000), Bin Laden himself owned shares in several Sudanese enterprises including Tadamon Islamic Bank and co-Defendants Faisal Islamic Bank and Al Shamal Islamic Bank.

12. Testimony from former al Qaeda financier and expert government witness Jamal Ahmed Mohamed al-Fadl confirms that Tadamon Islamic Bank knowingly maintained accounts for al Qaeda operatives. During the 1998 embassy bombings trial, al-Fadl testified on February 20, 2001, that Osama Bin Laden's assistant, Abdouh al Mukhlafi, used the bank at Bin Laden's behest:

- *Do you recall anyone else that had bank accounts in their name for al Qaeda?*
- *Abdouh al Mukhlafi.*
- *Who was this person named Abdouh al Mukhlafi?*
- *He is from Yemen.*
- *What role did he play for Bin Laden?*
- *He goes with Bin Laden when Bin Laden travel outside or inside Sudan.*
- *What role did he play for Bin Laden when Bin Laden traveled?*
- *He is like bodyguard for him, and also if Bin Laden, he needs bank something, he use account for that.*
- *Did he handle money during the travel?*
- *Yes.*
- *Where were the accounts held? In what countries?*
- *In Sudan and is in Bank Tadamon Islami [Tadamon Islamic Bank]."*

13. In March 1991, co-Defendant Hassan Al Turabi's National Islamic Front ruling government instituted the Islamic *Shariah* Support Fund (ISSF) in accordance with presidential

decree No. (239) dated March 7, 1991. The Fund's stated purpose:

aims in general at supporting the implementation of Shariah by deepening Islamic faith and practices spreading and encouraging holy war (Jihad)...The Fund has the following specific objectives: to support institutions, corporations and projects which aim at spreading Islamic belief...mobilization and training of the popular defence forces; and providing for martyrs' families.

14. The ISSF jihad fund's largest public and private contributors were Faisal Islamic Bank (Sudan), which gave 7 million Sudanese Pounds, along with Al Shamal Islamic Bank, which contributed 7 million Sudanese Pounds, and Tadamon Islamic Bank, which contributed 5 million Sudanese Pounds to support jihadist terrorist activities in Sudan and abroad.

Al Shamal Islamic Bank, in which Tadamon Islamic Bank is a major shareholder

15. Al Shamal Islamic Bank (herein "Al Shamal") is an Islamic financial institution based in Khartoum, Sudan. The government of Sudan granted approval to Al Shamal in April 1983 in response to a request from the Northern State Government, Al Shamal Investment and Development Company and Saleh Abdullah Kamel. The bank received an initial capitalization of USD \$20 million.

16. Tadamon Islamic Bank became a major shareholder of Al Shamal on March 26, 1986, and continued to hold a significant stake in Al Shamal through September 11, 2001.

17. Al Shamal knowingly and intentionally provided financial services to al Qaeda (including maintaining and servicing al Qaeda bank accounts and accounts used to fund and support al Qaeda), and facilitating weapons and military equipment purchases for al Qaeda.

18. Osama Bin Laden used Al Shamal extensively during his five-year stay in Sudan. At the invitation of Hussan Al Turabi, leader of the Sudan's governing National Islamic Front party, Bin Laden moved to Khartoum in 1991 and developed a complex set of business and terrorist enterprises. Bin Laden built highways and other infrastructure for Al Turabi,

establishing accounts at Al Shamal used by these front companies and Al Qaeda. Bin Laden even provided the institution with USD \$50 million in capital. According to a 1996 State Department report, "Bin Laden and wealthy National Islamic Front members capitalized the Al Shamal Islamic Bank in Khartoum. Bin Laden invested \$50 million in the bank."

19. According to Khalid Khalil Assad's biography of Osama Bin Laden, *A Fighter from Mecca* (2000), Bin Laden himself owned shares in several Sudanese enterprises including Al Shamal and co-Defendants Faisal Islamic Bank and Tadamon Islamic Bank.

20. Jamal Ahmed Al-Fadl, a former financial officer for Osama bin Laden, testified in the 1998 Africa Embassy bombings trial that Osama bin Laden and at least six al Qaeda operatives held accounts in their own names at the Al Shamal Islamic Bank. Wadih El-Hage, former personal secretary to Bin Laden convicted for his role in the bombings, also testified that Bin Laden kept accounts at Al Shamal Bank:

When you worked for Osama bin Laden in the Sudan, how much were you paid?

\$1,200 a month.

For how long did you work for him [Osama bin Laden]?

Almost two years.

What Banks did he keep his money at?

Bank Al Shamar.

In responding "Bank Al Shamar," El-Hage was referring to Al Shamal Islamic Bank.

21. Al-Fadl also described acting as courier for a cash payment from Al Qaeda to Abu Ali, an affiliated jihadist organization in Jordan. Al Fadl flew from Khartoum to Amman, Jordan, on a fake passport to deliver USD \$100,000 in cash to the group's leadership. When asked to identify the source of the funds, Al Fadl states they came from Al Shamal Bank:

1 Q. Who gave you the money?

2 A. Abu Fadhl, he bring it from Shamal Bank and he bring it to

3 me.

4 Q. Abu Fadhl brought it from the Shamal Bank?

5 A. Yes.

6 Q. Is that a bank in the Sudan?

7 A. Yes.

22. In the same trial, another former al Qaeda operative stated that Al Qaeda used Al Shamal for operational purposes. The witness was wired USD \$250,000 *via* the Bank of New York for the purchase of an airplane which he delivered to Osama bin Laden. Upon presenting Bin Laden with keys to the aircraft, the witness received a check from Al Shamal covering compensation for the trip and expenses incurred en route. The witness took the check to Al Shamal and cashed it.

23. The General Manager of Al Shamal acknowledged in a September 2001 press release that Osama bin Laden held two accounts in the bank. Bin Laden opened the first account on March 30, 1992, for the company Al Hijrah for Construction and Development Ltd. According to the U.S. State Department, the company worked directly with Sudanese military officials to transport soldiers and materials to terrorist training camps in the Sudan. A second account was opened in 1993 under the name of Osama bin Laden's holding company Wadi Al Aqiq, a company registered in Saudi Arabia. This company, according to the U.S. State Department, exercised a monopoly over Sudanese agricultural exports.

24. Senator Carl Levin, Chairman of the Senate Armed Services Committee on Investigation of the Governmental Affairs Committee, stated that evidence suggests that Osama bin Laden "remains the leading shareholder" of Al Shamal through trustees and may still use the bank's facilities.

25. According to reports from a leading intelligence publication, Bin Laden remained a shareholder in Al Shamal as late as 2000. A 2002 Congressional Research Service Report on Near Eastern Groups and State Sponsors estimates that "some of [Osama Bin Laden businesses

in Sudan] may still be operating.”

26. The Chairman of the Al Shamal Islamic Bank was co-Defendant and Specially Designated Global Terrorist Adel Abdul Jalil Baterjee, a wealthy Saudi Arabian businessman and founder of the Benevolence International Foundation. Adel Baterjee is a close associate of Osama bin Laden; so close, in fact, that he was selected by bin Laden to collect funds on behalf of the al Qaeda network. In 1993, the Kingdom of Saudi Arabia closed the predecessor to the Benevolence International Foundation for its ties to terrorism. The assets of the Benevolence International Foundation have been frozen by the United States Treasury Department on suspicion that the charity secretly funded al Qaeda.

27. Co-Defendant Yasin Al-Qadi wired more than \$22 million from Swiss Bank accounts to al Qaeda operatives and entities between 1990 and 2003. Al-Qadi transferred nearly half of these funds through Al-Shamal Bank.

Faisal Islamic Bank (Sudan), major shareholder of Tadamon Islamic Bank

28. The Faisal Islamic Bank (Sudan) (herein “FIBS”) was chartered in Khartoum in 1983. Its first director, Abd al-Rahim Hamdi, was a member of the Muslim Brotherhood and a friend of co-Defendant Hassan Al Turabi. In 1983 Turabi and the leadership of the National Islamic Front began to convert Sudanese bank toward an Islamic banking system.

29. FIBS is a major shareholder of co-Defendant Tadamon Islamic Bank and a founding member and principal shareholder of Al Shamal.

30. FIBS is a subsidiary of the Islamic Investment Company of the Gulf (Bahrain) which is a wholly-owned subsidiary of co-Defendant DMI Trust. The Islamic Investment Company of the Gulf (Bahrain) is also chaired by Mohammed Al Faisal Al Saud, as is DMI Trust and the Faisal Islamic Bank (Sudan).

31. Prince Mohammed Al Faisal Al Saud played a critical role in the development of Islamic banking, founding Faisal Islamic Bank for the purpose of propagating the fundamentalist strain of Wahhabi Islam espoused by himself, the NIF, al Qaeda, and other extremist groups.

32. Hassan Al Turabi's friendship with Prince Mohammed Al Faisal allowed the Muslim Brotherhood to obtain Saudi funding in Sudan. FIBS soon became the bank for the National Islamic Front and for Turabi. The bank supplied loans to the National Islamic Front and to its prominent members. In fact, the relationship remained so close that FIBS permitted the National Islamic Front to operate, at least as late as 1992, from the penthouse of the bank's headquarters. Through this association, Turabi's party became the best financed in the Sudan.

33. Former al Qaeda financier Jamal Ahmed Al-Fadl testified in the 1998 Africa Embassy bombings trial that Faisal Islamic Bank in Khartoum held bank accounts for al Qaeda operatives during bin Laden's time in Sudan:

- Q. Where were the accounts [of al Qaeda] held? In what countries?
A. (...) we got account in Bank Faisl Islami [Faisal Islamic Bank].
Q. Is that also in Khartoum?
A. Yes.

Islamic Investment Company of the Gulf (Bahrain)

34. Islamic Investment Company of the Gulf, the parent of Al Shamal shareholders Tadamon Islamic Bank and Faisal Islamic Bank (Sudan), is based in Bahrain. The bank recently merged with Faisal Islamic Bank group, creating a new entity called Al-Shamil Islamic Bank. Al-Shamil Islamic Bank is a direct subsidiary of DMI Trust. One of Al-Shamil's directors is or was Hyder Mohammed Bin Laden, half-brother of Osama Bin Laden.

Dar Al Maal Al Islami Trust

35. Dar Al Maal Al Islami Trust ("DMI Trust") is an Islamic financial institution founded in 1981. "DMI acts as a bridge between the world's leading financial centers and the

Islamic countries with which the group has a special relationship." Financial and business institutions established by DMI Trust include banking, investment, Takafol (insurance), Retakafol (reinsurance) and business companies. DMI Trust is also a primary vehicle for Saudi financing of the international Islamic fundamentalist movement.

36. Al Shamal is an indirect subsidiary of DMI Trust through its shareholders Tadamon Islamic Bank and Faisal Islamic Bank (Sudan).

37. DMI Trust laundered money for al Qaeda, knowingly and intentionally providing financial services to al Qaeda (including maintaining and servicing al Qaeda bank accounts and accounts used to fund and support al Qaeda), and/or facilitating weapons and military equipment purchases and money transfers for al Qaeda. Also, DMI Trust's *Zakat* accounts have been used to support al Qaeda. In addition, DMI Trust has transferred money for Al Haramain, a purported charitable and relief organization. Both the United States and the Kingdom of Saudi Arabia have designated as al Qaeda terrorist supporters and/or shut down specially designated global terrorist branches of Al Haramain for financial, material and logistical support provided to al Qaeda. DMI Administrative Services S.A. handled accounts of Specially Designated Global Terrorists Yassin Al Kadi and Wael Jelaidan for Faisal Finance Switzerland in furtherance of violent al Qaeda goals.